THE FORERUNNERS OF WOODROW WILSON

BY

HESTER E. HOSFORD

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"I love these lonely figures, climbing this ugly mountain of privilege."—Woodrow Wilson.

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"A hopeful little band that determined to serve the people instead of special interests."—Woodrow Wilson.

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THE FORERUNNERS OF WOODROW WILSON

BY

HESTER E. HOSFORD

An account of the men and measures that prepared the way and made possible the nomination and election of the twenty-eighth President of the United States. Introductory and heretofore unpublished chapters of "Woodrow Wilson and New Jersey Made Over," by the same author, published by G. P. Putnam's Sons, 1912. The first edition of Miss Hosford's book was a factor in securing the nomination of Mr. Wilson at Baltimore; the second edition, with the preface by U. S. Senator Gore, of Oklahoma, was the Wilson campaign biography in the three-cornered contest with Taft and Roosevelt.

To which is added a chapter on "Jersey Justice," by Herman B. Walker, in which he describes work in behalf of the special interests which cost one man the Governorship of New Jersey and another man the Chief Justiceship of the United States. A chapter of intense interest on account of the approaching appointment of a new Chief Justice of the Supreme Court of New Jersey.

WITH A PREFACE BY ALDEN FREEMAN

WITH 17 ILLUSTRATIONS

East Orange Record Print
East Orange, N. J.

"I love these lonely figures, climbing this ugly mountain of privilege, but they are not so lonely now. I am sorry, for my part, that I did not come in when they were fewer. There was no credit to come in when I came in. The whole nation had awakened. All of New Jersey, at any rate, was tired of the game and was willing to try an unsophisticated schoolmaster because it is in search of somebody that did not know how to play the old game."

WOODROW WILSON.

Extract from speech at Wilmington, Del., Oct. 18, 1912.

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This brief account of
the Agitators and Progressives
who blazed the trail of
"The New Freedom"
is dedicated to
WOODROW WILSON,
the great constructive statesman,
who as
Governor of New Jersey
first realized the dreams of the insurgents
and now as
President of the United States
is fulfilling their fondest hopes.

A PROPHECY FULFILLED.

Preface to "A Year in Politics," by Alden Freeman, published in 1906.

Dear Mr. Freeman:

Jersey's real fight has just begun. Your machine and your corrupt special interests are not thoroughly aroused yet, but they will be awakened to a true sense of the situation this winter.

What delights me most is the way you have got hold of the issue, the real issue. You represent to my mind the best people we have, the uncompromising "kickers." Some people object to them, but I know what good they do. I know that they do good even if they appear to kick on issues that are side issues to the men on the firing line.

But you never do that. For you see the bull's eye. You see that we have got to use our human tools as God makes them and the business of the critic is to jolly them along or whale away at them, simply to make them go in the right direction.

Let me make a prediction based upon my reading of you and of your writings. **New Jersey will be one of the first three States to get out of the hole.**

I can't be with you on February 5th, but I can shake your hand, and I do. God bless you, Alden Freeman, for being and seeing so straight!

Please remember me to the good fellows that are working with you in the Oranges.

Sincerely yours,

J. LINCOLN STEFFENS.

New York, December 26, 1905.

"The field that I plow is Ignorance and the weeds thereof are Error. The plow that I use is Truth.—Thus spake Buddha, Prince of India, 2,500 years ago.

I shall make it my task to expose the abuses that are about to ruin the country, and that your honesty alone can correct.—Last speech of Robespierre, July 26, 1794.

PREFACE

EIGHT YEARS AFTER.

New York State is still in the hole because the reformers and the newspapers there are pussy-footed and afraid to name and pillory the real culprits, the financial malefactors behind the political bosses. Here in New Jersey we called a spade a spade and a crook a crook. We did not waste our powder on Lentz and Dickinson, on Briggs and Baird, on Strong and Voorhees or other mere county bosses. We concentrated our fire upon the "Masters of the Boss," the high priests of special privilege and finance, the Drydens and Keans and McCarters.

By study of directorates and careful process of elimination we "trailed the serpent" to his lair in Newark in the Prudential Insurance Company, the Public Service Corporation, the Pennsylvania Railroad

and the Federal Trust Company, where we discovered the Chief Justice of the Supreme Court of New Jersey sitting with the Democratic State Boss and the Treasurer of the Republican State Committee, and we disclosed the connection between this cabal and the United Gas ring in Philadelphia and the Equitable Insurance officials then being investigated by Charles E. Hughes.

U. S. Senators Dryden and Kean, James Smith, Jr., and the McCarters between them controlled the two political machines, and it made small difference to them whether a Republican or a Democrat was elected to office, as they were always the veiled power behind the throne. Taking our cue from these men the progressive revolters of 1905 no sooner secured the Republican nomination of Everett Colby for State Senator for Essex County than we made equal effort to nominate Julian A. Gregory as his opponent on the Democratic ticket. We checkmated the special interests by their own method.

When New York gets its eyes open sufficiently wide to perceive that Murphy and Barnes are merely "whipping boys" for Thomas Fortune Ryan and the "corrupt contractors" whose names never by any

chance get into a New York paper, then perhaps New York State will also get out of the hole. If New York ever screws up her courage to call a crook a crook and to name the masters of Barnes and Murphy, about that time I predict her Legislature will pass a genuine Direct Primary Law.

Some of the New England States might get out of the hole if the people of those States could muster courage to demand a true accounting of their stewardship from the directors of the New Haven railway system instead of patting them on the back for retiring from the board after they have squeezed the lemon dry.

ALDEN FREEMAN.

East Orange, January 5, 1914.

CONTENTS.

Page.

Dedication to Woodrow Wilson 3

A Prophecy Fulfilled ..... Lincoln Steffens 4

Preface ..... Alden Freeman 5

Chapter I 13

The Fight for Direct Primaries by George Record. Mayor Fagan's Fight for Equal Taxation. The Fight in the Oranges for Limited Franchises. The Birth of the New Idea Movement.

Chapter II 25

Everett Colby Throws Down the Gauntlet to the Corporations. Alden Freeman Exposes Corporation Rule and Its Methods. The People's Lobby. Desperate Drydenites Offer Colby the Governorship.

Chapter III 35

Senator La Follette Compasses the Defeat of Senator Dryden. Summary of the Results of the New Idea Campaigns. Direct Primaries. Limited Francises. Equal Taxation. Civil Service Commission. Anti-Mosquito Crusade. The Weird Campaign of 1908. The State League for Direct Primaries. Governor Wilson Carries Out the New Idea Program.

Chapter IV 49

The Killing of the Nine High School Pupils in Newark on February 19, 1903. Corporation Control of New Jersey Courts Described by Herman B. Walker.

Chapter V..... 56
What Happened in the Grand Jury Room When A. J. Cassatt and Other Directors of the Trolley Company Were Indicted for Manslaughter. The Revelations of a Juryman.

Chapter VI..... 62
The Exposures Made by Alden Freeman in 1907 Cost Judge Gummere the Chief Justiceship of the United States in 1910, as Well as Chandler W. Riker the Governorship of New Jersey in 1908.

Chapter VII..... 64
Essex County Grand Jury of 1907 Defies Chief Justice Gummere and Indicts the Trolley Company. The Roll of Honor.

Chapter VIII..... 67
History Repeats Itself. The Rebuke to the Last Royal Chief Justice of New Jersey by the Patriotic Grand Jurymen of 1774 Duplicated in 1907 in the Rebuke to a Republican Chief Justice for His Support of Corporation Tyranny.

Chapter IX..... 71
Speech of Joseph P. Tumulty in the New Jersey Assembly in Which He Attacks Attorney-General Robert H. McCarter for Using His Office to Protect the Corporations.

Chapter X..... 76
A Brief Account of the Work of Julian A. Gregory, Mayor of East Orange, Who Was the Pioneer in the Fight Against the Democratic State Boss, ex-U. S. Senator James Smith, Jr., and Fought Him Single-handed for Years Until Governor Wilson Finally Destroyed His Control Over the Democratic Party in the State and Retired Him and His Nephew, James R. Nugent, to the City of Newark, Where They Still Rule in the Manner of Tammany Hall.

ILLUSTRATIONS.

Page.

George L. Record.....Frontispiece 12

Mark M. Fagan..... 15

Everett Colby..... 18

Alden Freeman..... 21

Specimens of the Genuine and the Forged Postal Cards by the Use of Which a Perpetual Franchise Was Secured for the Central Avenue Trolley in East Orange..... 22

William P. Martin..... 24

Frederick W. Kelsey..... 26

Adolph Roeder..... 28

William Jennings Bryan..... 33

Robert Marion La Follette..... 36

James E. Martine..... 39

Frank H. Sommer..... 46

Herman B. Walker..... 50

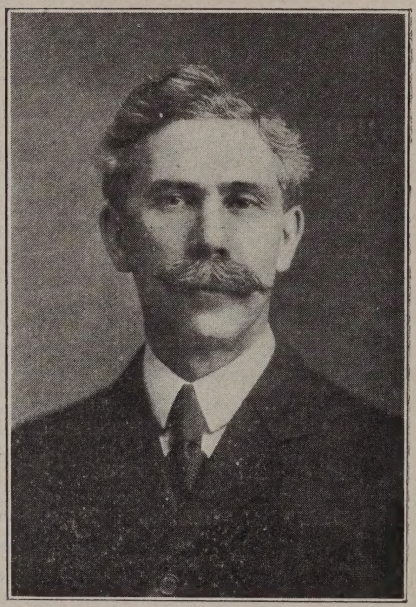
William Fellowes Morgan..... 65

Painting by Frank D. Millet, showing Uzal Ward's Defiance, in 1774, of the last royal Chief Justice of New Jersey, from the original in the Grand Jury Room in the Court House in Newark..... 67

Joseph P. Tumulty..... 73

Julian A. Gregory.....77

"New Jersey has been supposed to be one of the backward States of the Union until recently, when she got a move on. But it is a good many years now since that interesting figure of young Senator Colby, of Essex County, arose in the city of Newark and started a movement among the Republicans known as the 'new idea' movement. I have never had that name explained to me, and I have simply assumed that it meant that the idea of the Republican party understanding and serving the people was a new idea. For that was Senator Colby's idea. He was tired of seeing New Jersey and the Republicans in New Jersey serve a narrow group of special interests, and he led a hopeful little band that determined to serve the people instead of special interests."—Woodrow Wilson, in speech at Wilmington, Del., October 18, 1912.



GEORGE L. RECORD

Member of the State Board of Assessors

Whenever our committee went before a commission or sought a hearing at Trenton, among the few workers in this field we could always depend upon the leadership of one powerful advocate of popular rights. First and foremost in the cause we always found a brave and brainy man from Hudson County.

I mean George L. Record, with his splendid equipment of intellect, learning, untiring energy and insight into human nature, a profound student of politics and a natural leader of men.—"A Year in Politics," 1906.

CHAPTER I.

NEW JERSEY'S PRELIMINARY STRUGGLE FOR SELF GOVERNMENT.

Probably the most interesting fight for reform in New Jersey before the present era, began about twenty years ago when George L. Record, a tall New England Yankee, who had migrated from Maine to Jersey City, proposed to reach the cancerous growth of boss rule and machine domination by aiming at these parasites of the republic the artillery of a direct primary measure. This was the first state-wide primary bill drafted in the United States, and in every essential point was identical with the Geran Act of 1911. While Mr. Record was unable on account of machine opposition to push this measure through the legislative mill, he induced Governor George T. Werts to recommend it in his first annual message to the legislature, January 1, 1893. The press reports of his inaugural created notice throughout the country of this novel scheme, and many inquiries came from the West for copies of the bill.

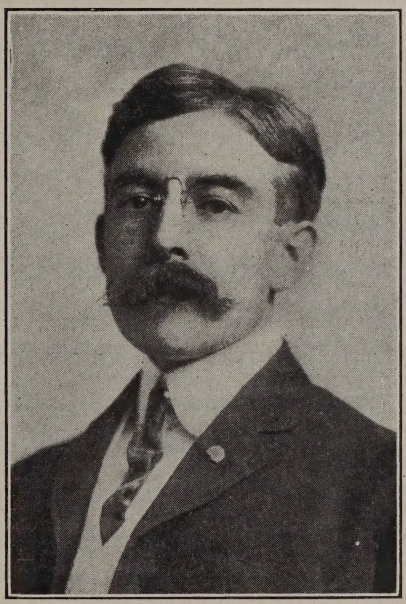
It bore fruit in several states where it furnished a model for primary statutes, notably in Oregon, Minnesota and Wisconsin.

It was ten years after Mr. Record's direct primary bill was introduced in New Jersey before he was able to secure its passage. In 1903 Governor Franklin Murphy, a notorious stand-patter, signed it.

This was not the efficient legislation which its originator desired, but it was the best which could be procured at that time, and it was the first step leading up to our present state-wide primary law. Its enactment made it possible to fight machines, and to meet their heretofore undaunted experts on their own ground. It denied them the privileges which they had so long exercised of declaring who might vote, and later on of counting the ballots.

This last provision was aimed at communities where astounding ballot box frauds had been committed by the machine, particularly in Hudson county, where a few years before thirty men were sent to state's prison through the instrumentality of General E. Burd Grubb for participating in one of the worst crimes in New Jersey's history.

But direct primary agitation was the torch which kindled the reform flame. Then, there was the hob-



MARK M. FAGAN

Mayor of Jersey City

A servant of God and the people. A giver of kindness, sympathy, love. He has carried "the greatest of these" out into the streets, through the railroad yards, up to the doors of the houses and factories, where he has knocked, offering only service, honest and true, even in public office. "Life is one long fight for right," says this very gentle man.—Lincoln Steffens in McClure's Magazine, January, 1906.

goblin of unlimited franchises, granted in perpetuity, or for long periods of time, conferring irrevocable privileges upon utilities which were increasing rapidly in value with a yearly compounding increment of profit to the corporations, and little or no direct benefit to the municipalities.

Fuel was added to the controversy by the startling discovery that the railroads were entitled to a special tax rate by law and that they were only paying $5.00 per thousand on the main stem values, while private property owners averaged to pay $22.00 a thousand.

This was "the most unkindest cut of all," and war opened when Mark M. Fagan, Republican Mayor of Jersey City, and an honest man, with the courage of a Daniel and the grit of a bull dog, addressed to Governor Franklin Murphy, a famous letter of protest against the corporation control of the Republican party and the Republican legislature, in which Fagan openly charged that the legislature and the Republican state leaders were acting in the interest of the railroads, and were causing legislation in the Republican interest to be smothered. The outcome of this was an anti-machine organization headed by Mayor Fagan and George L. Record, in Jersey City.

Furthermore, these two men who were looked upon by the corporations as troublesome meddlers, did some hobnobbing with the aristocrats of the Oranges, who had been stirring things up a bit during their leisure hours, through the Citizens' Union, and New England Society. These organizations had fired a few opening guns; the bosses had smelt powder, but they believed that the odor only indicated firecrackers. Their dreams had been occasionally disturbed, but then, they did not mind the presence of a little phosphorus in the air; it saved politics from becoming too tame a game.

At this time there was an assemblyman from Essex, whom the corporations had been regarding with curiosity because he had audaciously offered a resolution that the assembly should go on record as opposing further grants of perpetual franchises for corporation use of public streets.

This bold and presuming gentleman, Everett Colby, was laughed at for such nonsense, and his resolution ignominiously lost. Colby was a patrician who had inherited a fortune from his family, which had been wealthy for generations. In the assembly he had been classified as a regular, but as the scales had fallen from his eyes, he had been growing less regular, and still

EVERETT COLBY

"You are the pioneer progressive of New Jersey.

"I cannot refrain from referring to your great fight of eight years ago, which first drew national attention to New Jersey as a progressive State, and the consistent, tireless fight which you have waged, in season and out of season, to keep her so.

"Every corrupt boss, every big corrupt financial magnate, and, above all, those who seek to perpetuate the rule of business through a combination of what is crooked in business and crooked in politics, recognize in you and the New Jersey progressives, their worst enemies.

"You are fighting the battle not only of all progressives, but of the honest rank and file of both the old parties in your warfare against the machines of both the old parties."—Theodore Roosevelt, October 3, 1913.

less regular, until he could see beyond the system into the realm of individual rights. A few of his constituents who were lined up as foes of privilege started a free for all fight, and began to stack the cards for Colby's senatorial nomination, which they secured through Record's primary law. Then the bosses who had been having bad dreams had nightmare. Perhaps the poet was right when he said, "We are such stuff as dreams are made of," but surely the men who waged the 1905 anti-boss war in New Jersey were made of sterner stuff.

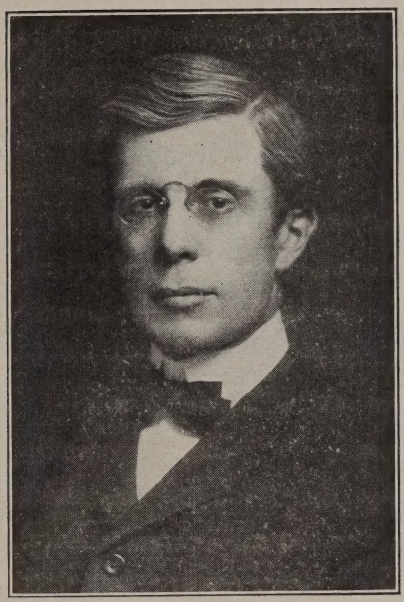
A glance at a few of their names will recall some interesting moving pictures; there was Alden Freeman, a true nobleman by birth, skilled as a political acrobat, mascot of free speech, and the distinguished friend of the oppressed.

Mr. Freeman had been twice honored by Custodian Weseman of the state capitol, who had threatened to eject him from the state house, because of Mr. Freeman's lobbying for limited franchises. Freeman had plenty of time on his hands, part of which he had used to make life interesting for Chief Justice William S. Gummere, and Chandler Riker, the Essex public prosecutor, who had refused to grant individual indictments against the North Jersey Street Railroad Company, fol-

lowing the disastrous grade-crossing trolley accident of 1903, in which nine high school students were instantly killed. Freeman was a member of the grand jury at this time and fearlessly exposed the corruption incident to this case.

The public service men could not forgive him for unearthing an infamous piece of skull-duggery perpetrated by the corporations in the interest of a franchise on Central Avenue in East Orange.

A councilman in that city, William B. Harris by name, was anxious to test the sentiment of his constituents as to the advisability of granting to the public service corporations the privilege of operating trolley cars in perpetuity on the Central line; accordingly he sent to the voters of his ward postal cards asking them to indicate how they would prefer to have the matter decided. Returns showed an overwhelming majority in favor of the franchise; but, upon investigation Mr. Freeman proved that three hundred forged postals, each marked for perpetual franchise had been mailed to the councilman. Mr. Freeman spent a great deal of time in discovering the evidence necessary to prove that the councilman had been duped by the corporations. He made a careful comparison of

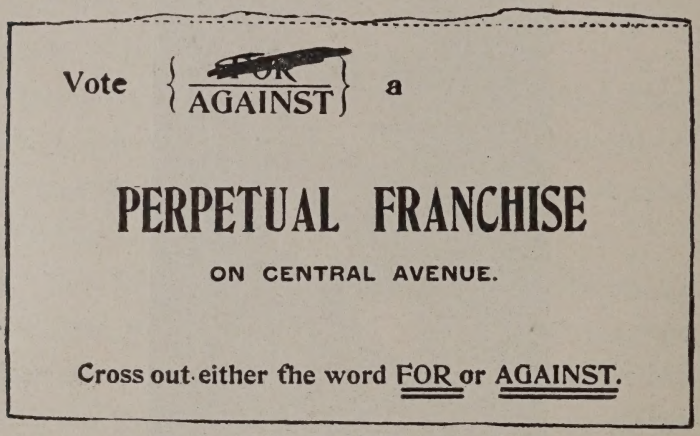


ALDEN FREEMAN

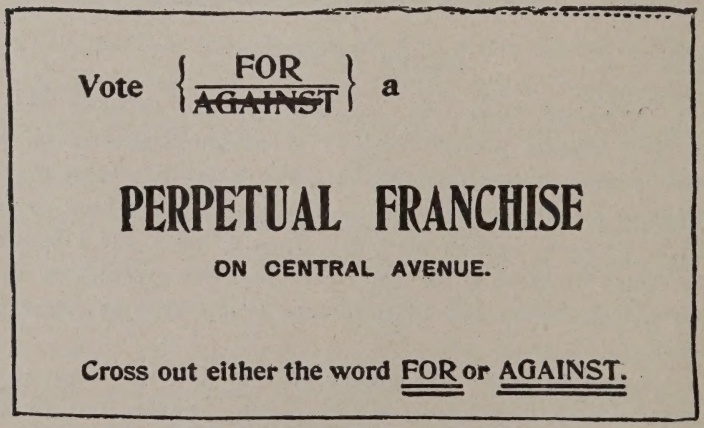
Organizer, 1902, and secretary, 1902-08, Citizens' Union of East Orange, a forerunner of later reform movements in New Jersey; proprietor, 1903-04, Newark Truth, weekly organ of reform politics, edited by James Martin, managing editor N. Y. Tribune; opened his home, June 8, 1909, for a lecture by Emma Goldman when police prevented her speaking in New York, New Jersey and Connecticut—Who's Who in America, 1912.

Alden Freeman, the plucky pioneer of free speech in a "free country."—Prince Peter Kropotkin, London, Eng., Sept. 12, 1910.

the original postal cards with the forged ones; the latter differed from the former in the formation of the letter "R" in the word, "PERPETUAL," as illustrated by the following:



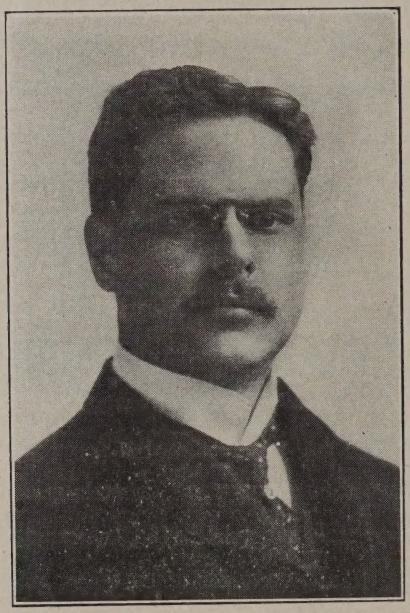
THE GENUINE POSTAL CARD.



THE FORGED POSTAL CARD.

There were other bluebloods who enjoyed enlightening the public. For instance, Frederick W. Kelsey, a modern philosopher of the Marcus Aurelius school; Henry H. Hall, an insurance man whose life was an open book, a rare exception in those days; William P. Martin, a staunch progressive, who made others progress; John H. Gibson, a natural born press agent; Lathrop Anderson, a pious peacemaker; and Frank H. Sommer, whose intellect and resourcefulness ought to make him one of the Seven Wonders of the World.

Such shining stars were Colby's backers. The principles for which he and his supporters stood were contemptuously referred to by ex-Governor John W. Griggs, as the "New Idea," and will be considered in the following chapter.



WILLIAM P. MARTIN

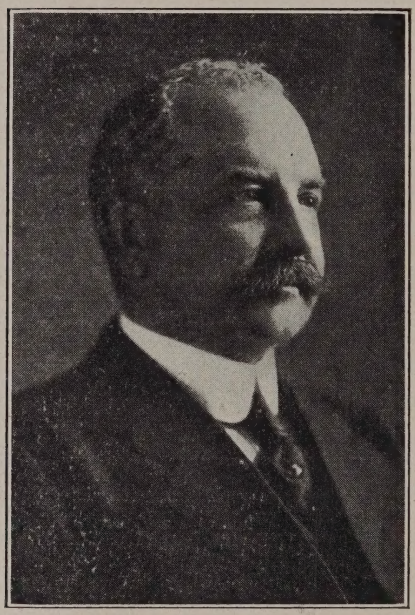
Judge of the Court of Common Pleas

The chairman of the Colby campaign in 1905 won his spurs as the people's champion in his successful efforts to save Military Park and the City Hall in Newark from threatened trolley loops. Throughout the campaign he proved himself to be possessed of executive ability of a high order. I look to see him make a still greater reputation for courage and independence on the floor of the State Assembly. He is sturdy and fearless in behalf of what he believes to be right.—"A Year in Politics," 1906.

CHAPTER II.

"It is well known that the corporations have a grip on legislation which is perfectly inexcusable, and that this tendency is dangerous to a degree there can be no doubt, tending as it does, to undermine popular government, and the danger lies in this: not that the corporations always demand what they know to be wrong, but because they do not know what is right. Their judgment is warped by personal prejudice, as one's judgment is always warped on a question which strikes home against his personal interest."—Extract from speech made by Everett Colby, March 1, 1905, at Citizens' Union dinner, East Orange, preceding his senatorial nomination.

The steamroller of the "New Idea" was now in good running order. Colby waved a red flag at the corporations, and launched a reform movement destined to become national in its influence. The battle was begun. No sooner had Mr. Colby protested against the grip of the corporations than he was bidden by his foes to "Beware the Ides of March." Major Carl Lentz,



FREDERICK W KELSEY
"Father of the Essex County Parks"

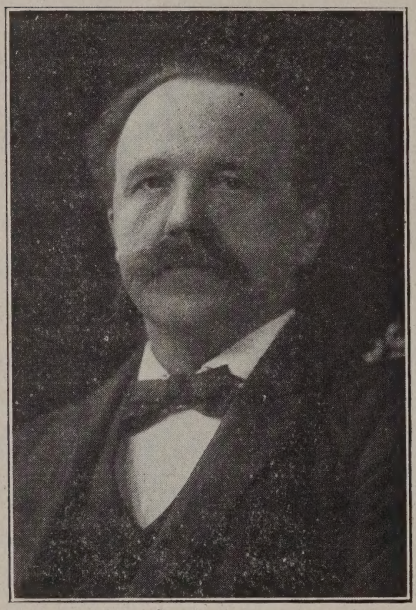
Chairman of committee which framed New Jersey Shade Tree Commission Law, 1893, the first in the United States, since copied in other States; chairman of the committee which framed the New Jersey Limited Franchise Law of 1905, and chairman of the committee of the New England Society of Orange which prepared the amendments to the Corporation Laws of New Jersey, 1906.

The originator of the first county park system in the United States is still actively in the field against special privilege and working side by side with Gifford Pinchot for conservation of the National resources.

then the Republican boss of Essex, and a party disciplinarian of the first rank, with an iron jaw and a military record, informed Assemblyman Colby that he was to return to the quiet atmosphere of home life.

But the reformers protested, and after the victory in the primaries worked tooth and nail for Colby's election. The prospect of being represented by a man who would not act as a "cat's paw" for the corporations, and who would refuse to take orders from the bosses, took hold of the voters. But the men who really scaled the "walls of Jericho," were those, who, for several years, had been awakening public sentiment through the dynamic force of civic organizations, probably the most practical method of germinating and developing genuine civic zeal.

There were three influential non-partisan societies which contributed the breath of life to the Colby campaign. Lightning-bugs had been buzzing in the air ever since the Citizens' Union, in 1902, started things by revolting against perpetual and long-time-franchises. The New England Society, though conservative, woke up, in 1905, under the leadership of Frederick W. Kelsey, and demanded legislation in the interest of franchise reform. The New Jersey State Civic Federation had been eternally alert, and many of



REV. ADOLPH ROEDER
President of the New Jersey State Civic Federation.

"The Pioneer in the Religion of Statecraft and the Philosophy of Civics."

That divinely gifted man, the almost inspired seer and philosopher. When this exalted character, so just, so unimpassioned, always so serene and wise, has passed from us, we shall understand that a man like unto Emerson has dwelt among us and at last realize what opportunities of enlightenment we have neglected in not sitting at the feet of this great teacher to learn wisdom.—"A Year in Politics," 1906.

our worthwhile reforms originated in the fertile brain of Rev. Adolph Roeder, a philosopher, author and lecturer of distinguished reputation, who was for a long time president of the Federation.

Alden Freeman, regarded by the corporations as an unquenchable sky-rocket, hailed Everett Colby in The New York Evening Mail, March 5, 1905, "as a leader found at last around whom the people of New Jersey may rally, in the great struggle, which shall eventually strangle cunning, strongly entrenched though it be in corporation-ridden New Jersey."

Nothing is stronger than public opinion, and with a gale of reform blowing at a terrific speed, the "New Idea" spread over the state, and the corporations squirmed spasmodically when Colby was sent to the senate by 20,000 majority on a platform demanding prohibition of the granting of perpetual franchises; the reduction of taxes by taxing the franchises of public-service corporations at their true value, and at local rates; and by taxing railroads on their main trunk, or stem, at the same rate which other taxpayers paid; the passage of a law to provide for each voter the privilege of expressing on his ballot his preference for United States senator; the extension of the primary

law to provide for the abolition of conventions, and the nomination of candidates by direct vote.

Now that Colby was elected, the special interests looked upon him as a champion heavyweight trouble maker. Only a few weeks before he took his senatorial seat Colby fired another cannon in an address before the Society of Colonial Wars at Lakewood, where he scored the lobbyists responsible for the bribery used to secure the passage of the Morris Canal Bill. In referring to these gentlemen, he said: "They are stamped as crooks, known as crooks, act like crooks, look like crooks, and are crooks."

Naturally these crooks inquired, "What manner of man is this" who is capable of such brazen utterances? They hoped, however, to dispose of Colby when he entered the senate by attaching to him a placard reading, "Look to him, he is dangerous." If this did not work, violence might be necessary.

The state was so completely honeycombed by corporation inflence that Colby hardly knew where to begin, and although there were twenty "new idea" men over in the Assembly, the Essex senator was obliged to depend on his old public-spirited friends to help him play the game.

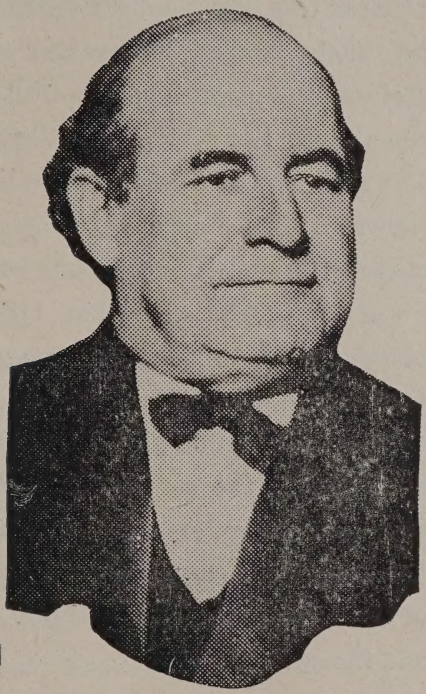
It was time for Alden Freeman to turn another political somersault. This time he skated a figure eight on a double trapeze, and caused another upheaval of public opinion, by a clever book, called "A Year in Politics," followed by a radical pamphlet, entitled "Corporation Rule in New Jersey." In these volumes Mr. Freeman showed that the corporations had fortified themselves by placing on their Boards of Directors the Judges of Courts, the Commissioners of Taxation and Assessment, county and municipal officials, and particularly the treasurers of the state committees of the two chief political parties. Mr. Freeman proved beyond a doubt that corporation control was supreme in every city hall, in every court house, and even in the state house; that the chief agents of the corporations, known as county bosses, selected the Governors of New Jersey, who, in turn, named the bosses to the chief offices in the gift of the governor; and that this control was maintained by the payment of campaign expenses.

Mr. Freeman said: "I have myself heard a United States senator say that he made sure of his re-election by paying the election expenses of the legislators who voted for him." This publication served a better purpose than merely to cause a sensation, for it awakened

the people still further to the imminent danger of their loss of power.

Another institution which stimulated reform, and worried Governor Edward C. Stokes, as it did the whole stand-pat crowd, was the Peoples' Lobby of New Jersey, organized to check undue corporate influence where it threatened to injure the interests of the people. Those who had been acting in the "new idea" campaign induced such men as Hamilton W. Mabie, (editor of "The Outlook"), James E. Martine (since U. S. senator), Adolph Roeder, Herman Walker, Simon Northrup, Winthrop More Daniels, Edwin G. Adams, Dan Fellowes Platt, Harry V. Osborne (later State Senator), Samuel Merwin, Edmond Whittier, and others to join this organization, which sent its representatives to visit the legislature in the interest of popular legislation; published a record of state officials and made an appeal to their constituents for suggestions in regard to reform.

Colby was making a successful fight and the people were becoming Argus-eyed; it was a period of intense interest when United States Senator John F. Dryden's term expired in 1907. He was president of the Prudential Life Insurance Company, which controlled joint-



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WILLIAM JENNINGS BRYAN
Secretary of State of the United States
The Apostle of World Peace

On May 1, 1907, Mr. Bryan delivered his great speech on the Initiative and Referendum, entitled "Let the People Rule," before the People's Lobby of New Jersey at the largest dinner ever gotten up in Newark. Here were gathered practically all the progressives mentioned in these chapters. Among the speakers were that silver-tongued orator, Assemblyman Joseph P. Tumulty, now Secretary to President Wilson; Congressman William Hughes and James E. Martine, both of them now United States Senators from New Jersey; Adolph Roeder and George Record, Herman Walker and Frank Sommer, Mark Fagan and Everett Colby.

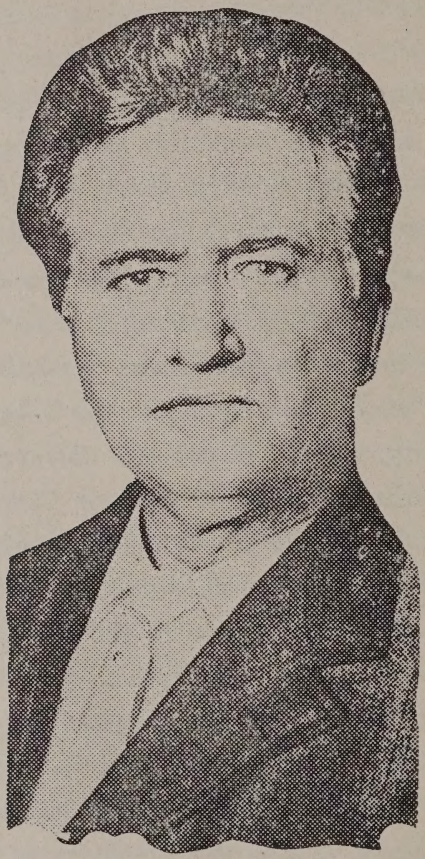
ly with the United Gas Improvement Company of Philadelphia, the Public Service Corporation of New Jersey; the latter concern controlled the trolley, gas and electric companies in the state, excepting, it is said, those owned by ex-United States Senator John Kean and his brother.

Colby had declared that he would not vote for Dryden or any other man who would buy his election as evidence indicated that Dryden had done. This announcement did not fall in dulcet tones upon the ears of the Drydenites. Accordingly they hastened to send an emissary to sound the said Colby on his soundness. An offer of the nomination for the governor of New Jersey was made Colby if he would make one speech under the auspices of the machine. Of course, he never made the speech.

CHAPTER III.

In the primaries of 1906, the regular Republicans who were anxious to return Dryden to the senate, and the Democratic machine combined to thwart the "new idea" movement; thus illustrating the "Fly-to-each-other" principle, when any reform is under way. Machine men were nominated, but the voters revolted. Essex County, which had not gone Democratic before in fifteen years, and where Senator Colby had been elected in 1905 by over 20,000 majority, elected eleven unknown Democrats to the Assembly, with the purpose of sending a delegation to the legislature which would prevent Dryden's re-election.

During the campaign it had occurred to Senator Robert La Follette, of Wisconsin, that he might be able to render the people of New Jersey patriotic service and, incidentally, avenge the effrontery of his old foe, Dryden, who with a number of the "old guard" in the senate had openly insulted the Wisconsin senator by leaving the United States Senate chamber just as this fiery warhorse of reform had taken the floor to deliver



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ROBERT MARION LA FOLLETTE
United States Senator from Wisconsin

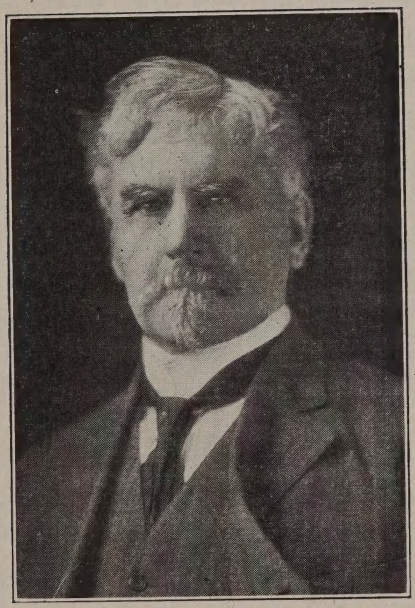
The Pioneer Insurgent of the United States Senate, he was the Pioneer Progressive of the Republican party, just as Mr. Bryan was the Pioneer Progressive of the Democratic party.

a speech on the government railroad bill. La Follette on this occasion turned to the audience and, with the voice of a prophet said: "In a few years the senate seats, now made voluntarily vacant, will be involuntarily vacated by those members who have violated their pledges to the people, and these men who now openly refuse to listen to me will be deprived of office by their constituents in the misrepresented states."

The champion insurgent of Wisconsin whose attention had been attracted to the fearlessness of the "new-idea" men in New Jersey came over into the land of the Israelites, and "He had in his hand a little book open" from which he read before large mass meetings the senate roll call and the vote on the federal railroad bill. Dryden had voted with the corporations every time, and the exposure of his selfish activities had aroused public indignation to white heat. The assistance of La Follette on this occasion was "A very present help in a time of trouble," and will not be forgotten by the reformers of our fair state.

Remarkable stories had been told of the crooked transactions engaged in to secure Dryden's victory in 1902, when he had defeated Edward C. Stokes by one vote; although Mr. Dryden was a self-made man, who

by sheer force of character and industry, had emerged from poverty and became a president of a large corporation, yet the insurance scandals in New York state had made Mr. Dryden very unpopular so that a few regular Republicans, as well as the irregulars, voted against him. The legislature was deadlocked for weeks. Finally there was a compromise. The Dryden forces were allowed to pick their man. The corporations always have a long waiting list. This time they chose Dryden's residuary legatee, Frank O. Briggs, the state treasurer. His election was a triumph for the bosses but a negative victory for the "new ideaites." Mr. Briggs was practically unknown to the people of New Jersey, and on account of the reputation which he had acquired a few years before as a clever subpoena dodger during the Mazet Committee investigation in New York City, the people of New Jersey did not congratulate themselves when they learned that they were to be represented by Mr. Briggs in the national senate. Thus does the fickleness of fortune often play into the hands of by-standers who are only watching the wheels turn round. The compensation of the public in such instances is the reactionary influence, and it will be remembered that it was the 1907 legislature which



JAMES E. MARTINE

United States Senator from New Jersey

The Farmer Orator of Jersey is keeping up in Washington his life-long record of voting always on the side of the people.

passed a resolution favoring the election of United States senators by popular vote. This resulted later in the enactment of a law, the forerunner of our present one. Thus was the seed sown which culminated in the people's victory of 1911 when James E. Martine won the senatorship after receiving the largest number of votes in the senatorial primary.

To sum up the results of Colby's leadership and the "new idea" program we must note the improvement in the primary law which was amended so as to allow the nomination by direct vote of all candidates for office except governor, and congressmen and presidential electors; county and state committees were still appointed in a corner by the machine.

A direct primary law, that was not so very direct, you will say, and yet, our present Geran law could never have been passed without this foundation. To show that the new idea was still spreading its roots, a railroad law, championed by Colby, had been enacted which made the railroads pay the average state rate, thus increasing the railroad tax more than $2,000,000 a year. A part of this fund was later appropriated for school purposes, and has since made possible the improvement of the state's educational system.

To carry the good work further a franchise law was passed limiting the issuance of these privileges to twenty years, with an extension of another twenty years provided the renewal of the franchise was sanctioned by popular vote. But the reformers did not stop here, they formed through the legislature a law for the taxation of public utility franchises which yield the state an annual revenue of more than $600,000. In the case of street car lines there was a graduate tax scale which provided for an increase of taxation as the franchises increased in value and earning power. While these taxation measures made it possible to collect from the railroads and public utility companies a much larger sum than ever before, still this legislation did not measure up to the constitutional requirement of equal taxation, but the beginning thus made took us to the first mile post of equal taxation. And this was the first step toward a proper revaluation of the property of corporations, and to a degree, helped to prevent over-capitalization.

A state civil service commission was created with the extension of civil service in our municipalities, provision was made for a state railroad commission with some powers, and the appointment of two commissioners not owned by the railroads.

Thus New Jersey had pulled up a few of the roots of the great tree of special interests, but its foliage was still bountiful enough to shade the system under its huge branches.

Not only had New Jersey been for generations corporation ridden, but ever since the memory of man our great state had been no less mosquito ridden. There is every reason based upon the best authority to prove that Pandora opened her famous box in the virgin soil of New Jersey, and that this discontented little miss, assisted by the fates, assigned mosquitoes and corporations to New Jersey for her share of worldly troubles. Of course, we shall forgive Pandora on account of her immaturity at that time for discriminating against us so harshly. But what shall we say of the cruel Fates whose years of understanding must have endowed them with a fair sense of proportion?

For centuries New Jersey endured this injustice resignedly, the Presbyterian influence being strongly disseminated in every section of the state. Finally the new idea men mustered up courage and showed enough resentment toward the predestined mosquito to induce the state legislature to make provision in 1906 for an annual appropriation for the extermination of

mosquitoes, the aggregate not to exceed $350,000. Of this sum ten thousand dollars was appropriated in 1907, and the same amount in 1908. Fifteen thousand dollars has been appropriated since, and we trust that future legislatures will not be unmindful of the worthy example of the new ideaites, whose newest idea was an anti-mosquito crusade, which will engender public gratitude, long after the other glorious achievements of this progressive period have been forgotten.

During the three years fight led by Colby, it should be remembered that the "new idea" forces never had control of either branch of the legislature, but the reform measures which we have mentioned were secured by the minority which kept the majority on its mettle by forcing them into corners and cracking the whip of public opinion in their ears.

When it came time for the campaign of 1908, a complicated situated existed. The use of money by the machines contributed by the corporations and the breweries in opposition to "new idea" men figured largely in defeating them, as did also the fact that Colby had voted for a law to make possible closing of saloons on Sunday; the liquor interests and foreign born citizens repudiated Colby for this action, while

the clergymen and church people voted against the "new idea" assembly candidates because they had voted against Sunday closing and for open beer gardens.

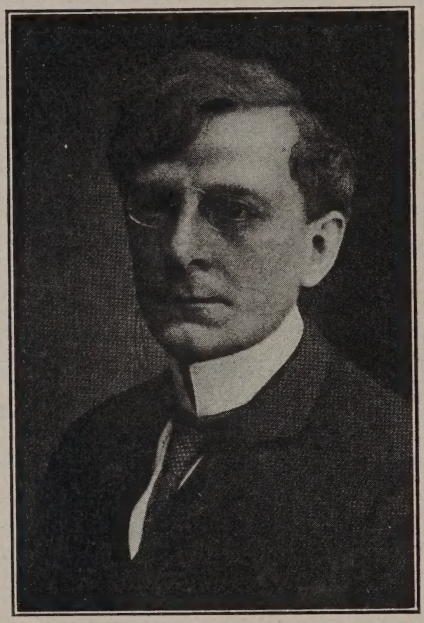
It would require the skill of a dramatist to picture truly the unique features of this campaign. There were ministers of the gospel, saloon keepers, gamblers, ward-heelers, machine bosses and railroad bosses rushing hither and thither, and often working in concert to defeat Colby in Essex for Senator, and Mayor Fagan for Mayor of Jersey City. Fagan had already served three terms. Both went down to defeat. Colby lost by seven hundred, while President Taft carried the county by twenty-three thousand. This was the first time in fifteen years that a democratic senator had been elected. Fortunately for the people, Colby's successor, Harry V. Osborne, proved to be an ardent progressive, who went ahead with many constructive reforms, and later edited the public utilities law passed in Governor's Wilson's administration. This was another example of the irony of fate.

Colby, a man of wealth, leisure and learning, who had accepted public office at great sacrifice to himself, now retired to private life.

It was announced by the regular leaders the day after the 1908 election that the "new idea" was dead

and direct primaries a failure. A few days later this boast was answered by the organization of the State League for Direct Primaries, with Congressman William Hughes, a Democrat, as president (Mr. Hughes is now United States Senator elect); ex-Senator Colby and Harry V. Osborne, the Democrat who had just defeated him for state senator, were vice-presidents. The membership of the League included most of the men of both parties in the state who had been getting a reputation for doing things without asking permission of the railroads and the corporations. Although the new idea candidates were ostensibly defeated, their work was only beginning.

Mr. Fagan, while Mayor of Jersey City, had said that he believed the new idea movement would make an epoch in the history of the world, and that in years to come men would look back to the days of 1905 and 1906, the rise of national reform in segregated spots, and following its course they would discover that what seemed like scattered snowdrifts had become an avalanche destined to sweep every thing before it, not only redeeming the people from the greed and graft of corporations, but also raising up a peculiar people, released from the giant grip of boss rule, at once redeemed, regenerated, and disenthralled.



FRANK H. SOMMER
Professor of Law, New York University
State Railroad Commissioner of New Jersey, 1908-10
President of the State Board of Public Utility Commissioners, 1910-11, and since and now Chief Counsel of the Board.

A man with heart warm enough to feel, with sympathies broad enough to understand, with a mind keen enough to analyze and dissect and to destroy that which should be destroyed, yet with a mind strong enough to build if a structure should be reared, and all seasoned with enough mustard to make him fight. Such a man is Frank H. Sommer, Sheriff of Essex County.—Speech of Everett Colby.

There was the incisive brain, intellectual grasp and unwavering character of Frank H. Sommer, whose personality will, I believe, prove to be the compelling force in many a council of State in New Jersey in the days to come. Mr. Sommer's years of tireless labor in behalf of the people's rights in their own highways will presently bear fruit.—"A Year in Politics," 1906.

Mr. Fagan's prophecy is being fulfilled. Although the administration of Governor John Franklin Fort, from 1908 to 1911 is admitted to have been a failure so far as the passage of any progressive legislation was concerned, yet we find that during his term the progressives of both parties kept alive the reform germs stimulated by the new-idea people.

When ex-Senator Colby returned from an extended European tour in the fall of 1911, he said: "It is certainly great to be coming home to the kind of state New Jersey is now. I have received the home newspapers every day, and I have followed with close interest the story of how New Jersey has been made over. I can hardly believe that so many things have been accomplished. Just think of the progressive laws which New Jersey has now!" When Mr. Colby was asked what he thought of Governor Wilson he replied: "He is a corker."

That Woodrow Wilson fully appreciates the work accomplished by the new idea men is proven by one of his public utterances: In a public address he stated: "Some of the most public spirited, some of the wisest and most progressive men in the Republican party discovered by slow degrees, what it made their hearts

very heavy to discover, that the party was being dominated by certain special interests. They then turned their faces away from those members of their party who represented that domination. They said, 'We will no longer consent to serve some of the people when we ought to be serving all of the people,' and therefore, these gentlemen that, in this state, we call the new-idea Republicans, these gentlemen that are in some quarters called progressive, and in others insurgent, have this idea which we ought to be ashamed to call a new idea, that their obligations are to the people, to the whole country, to the great mass of men whose fortunes make up for ill or for good the prosperity of America. That is the new, the ancient, the majestic idea that has always beckoned men to their highest duty in America."

CHAPTER IV.

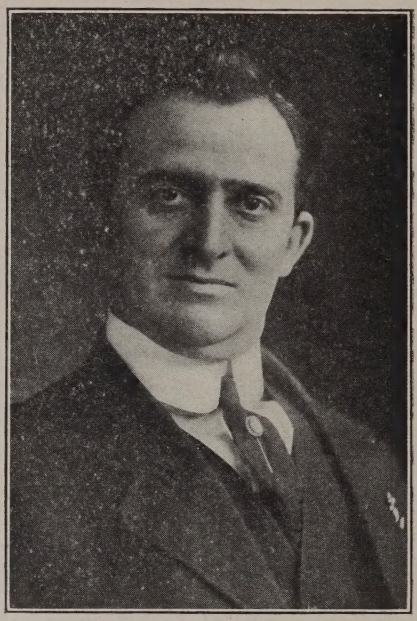
[This chapter as well as Chapter V appeared in La Follette's Magazine on December 3, 1910.]

JERSEY JUSTICE.

A Story of the Grand Jury Room in Which Judge Gummere Figures.

By Herman B. Walker.

On the morning of February 19, 1903, a trolley car crowded with boys and girls on their way to High School was run down by a Delaware, Lackawanna and Western Railroad train at Clifton avenue, Newark, N. J. Eight young women and one young man were instantly killed or fatally injured, and nearly twenty others were crippled or otherwise seriously hurt. The crossing at which the accident occurred had been frequently pointed out by the newspapers and the public officials of the city as an especially dangerous one. East-bound trains and north-bound cars both approached the crossing on heavy down grades, and the railroad tracks were hid from view by surrounding buildings until one was nearly upon them. It was a north-bound car that was struck by an east-bound train. On the morning of the accident ice and sleet



HERMAN B. WALKER

"This lover of his race, this ardent hater of wrong, this tower of strength unto the weak, and this pillar of flame to the gropers for light. He believes with all his heart and soul in what may be called 'the American principle of government.' No Highland chieftain ever took a fiercer delight in the shock of combat than does Walker in his battle for the rights of the people against encroaching, long-entrenched, seldom-disturbed puissant special privilege. His strong, fearless hand has ever hurled the thunderbolt of truth full and fair in the face of cringing convention. One is struck which to admire or wonder at most—Walker's idealism, his dreams, or his hard, accurate, cold, judicial poise in treating any story and weighing up statements and handling facts. This State has heard of Walker, for he has the great weapon wielded, The Newark Evening News, one of the greatest in the nation, and he is one of the men who made it great. To call Walker 'brother' every honest newspaperman in New Jersey should be proud."—Congressman Robert G. Bremner, editor Passaic Herald.

made the tracks slippery, and neither the trolley motorman nor the engineer of the train could do anything to prevent the accident both saw was inevitable.

There had for years been agitation in New Jersey for the abolition of grade crossings, but railroad influence in the Legislature frustrated attempts to secure legislation to compel the roads to abolish the dangerous crossings at their own cost, and the courts had refused to make orders for the abolishment of such crossings, although they had the power to do so. At the time of the killing, the city officials of Newark were negotiating with the railroads to elevate and depress their tracks throughout the city. Since the accident practically all the crossings in the city have been eliminated, the city paying more than half a million dollars of the cost of this work.

Prominent Men Acquitted.

The trolley road on which the killing occurred was operated by the Public Service Corporation of New Jersey, and owned by the North Jersey Street Railway Company, a subsidiary corporation. An Essex county Grand Jury, sitting at the time, indicted the members of the executive committee of the board of directors of the North Jersey Company, for man-

slaughter. They were all indicted and tried on a single indictment, and were all acquitted, the trial judge not even allowing the case to go to the jury. Among the men so tried and acquitted were the late A. J. Cassatt, then president of the Pennsylvania Railroad Company; John D. Crimmins, the New York trolley magnate and promoter; Dr. Leslie D. Ward, first vice-president of the Prudential Insurance Company, and David Young, general manager of the Public Service Corporation.

The Public Service Corporation was organized, and is largely controlled by the Prudential Insurance Company interests. John F. Dryden, president of the Prudential, was then a Republican United States Senator from New Jersey. Thomas N. McCarter, president of the Public Service, was a former State Senator and Attorney General of the State. His brother succeeded him as Attorney General.

Chandler W. Riker, the public prosecutor who conducted the manslaughter trial for the State, was, with his brother, the present clerk of the Supreme Court of the State, largely interested in trolley companies which had been taken into the Public Service merger.

William S. Gummere, Chief Justice of the Supreme Court of the State, before whom the manslaughter

case was tried, was an attorney for the Pennsylvania Railroad before his elevation to the judiciary. Gummere has been reappointed by Governor J. Franklin Fort as Chief Justice since the trial in question, in 1908. His name also appears as a director of the Federal Trust Company of Newark, of which James Smith, Jr., is president. Smith was once a Democratic United States Senator from New Jersey, is recognized as the boss of the Democratic party in the State, and is closely identified with the financial management of the Public Service Corporation.

An Amazing Statement—Secrets of the Grand Jury Revealed.

Alden Freeman, who made the remarkable statement which follows, is a resident of East Orange, N. J., who has been very prominent as an independent worker in reform movements in the State within recent years. Freeman's statement, here reprinted, was made on August 15, 1907, at which time Chandler W. Riker was being talked of as a probable Republican nominee for Governor. A few days later Riker announced he was not a candidate. Although Freeman's statement aroused great indignation among the people of New Jersey, the public officials, politicians, lawyers and

newspapers, almost unanimously ignored the serious charges it contained, and contented themselves with vehement denunciations of Freeman for having told jury room secrets. Freeman demanded that the minutes of the Grand Jury be made public, to prove his charges, but his demand was refused by the public prosecutor who had succeeded Riker in the office.

Freeman's statement, taken in connection with the facts here stated, is republished because of the unusual light it throws on the methods by which the influence of the railroads and utility corporations reaches and affects juries and courts in a State where for fifty years or more representative government has been only a name, and where the constant effort in legislation has been to so shape the machinery of elections and government as to make this influence more effective and absolute.

Of this statement the New York Press (a Republican newspaper) said editorially August 18, 1907:

"A clear and startling notion of the manner in which justice for the wealthy is administered in the State of New Jersey can be gained from the disclosures made by Alden Freeman. * * * We should say from our observation that Mr. Freeman has given a typical

case of how government works in a State which is ruled, not by the people, but by a group of men who have gained control of the public service corporations, big banks and insurance companies."

The prominent newspapers in New Jersey gave no attention to the grave significance and real meaning of Freeman's statement, but generally devoted themselves to criticizing his bad manners in betraying jury room secrets. None of the essential facts in Mr. Freeman's statement has ever been denied.

CHAPTER V.

THE STORY OF A JURYMAN.

By Alden Freeman.

I was a member of the December jury of 1902 for Essex county, N. J. On that terrible February 19, 1903, which Newarkers will never forget, I was still on duty in the grand jury. Aside from the horror of it, which grew as we examined the crippled victims on crutches in the jury room or in their cots at the hospital, my most vivid recollection was the strenuous effort on the part of both Chandler Riker and Chief Justice Gummere to prevent the bringing in of an indictment. The jurymen were unanimous in favor of separate individual indictments for manslaughter against various officers of the North Jersey Street Railway Company and each member of the executive committee of the corporation, and directed the public prosecutor to prepare such indictments.

A $50,000 Bribe.

For a week we kept asking for the indictments ordered from the prosecutor. Different members of

the jury in the meantime told me that they were being approached from the outside. One man told me he was offered fifty $1,000 bills by the son of one of the officers of the company to use his influence to quash the indictment. The same man told me of loans called by financial institutions of Newark and contracts held up.

Disobedience of the Public Prosecutor.

After this week of suspense Mr. Riker finally brought in an indictment of all the men in a bunch (something like those corporations kill their victims, in bunches) instead of the separate, individual indictments ordered. I protested with all the power I possessed, and was ably supported by some of the finest men I have ever met, but the week's delay of the prosecutor had done the work, although the trick of the blanket indictment was fully exposed.

Chief Justice's Advice.

Mr. Riker was greatly excited. I recall that his hands shook as though with palsy, although his face remained immobile. He made his final effort when he said the Chief Justice wished us to go before him and let him advise us. I resented the invasion of the rights

of the grand jury. I said that if Mr. Gummere had anything to say to the grand jury, let him come before us like any other citizen, that the functions of the grand jury and those of the Chief Justice were distinct and separate, and that he had no right to thus encroach upon the rights of the grand jury, which was a co-ordinate part of our judicial system and the only weapon left in the hands of an outraged people with which odious tyranny can be assailed.

Chandler Riker's pleadings finally prevailed against me in the grand jury, just as two years later the pleadings of his brother, William Riker, in behalf of the vested interests which control the State of New Jersey prevailed against me in suppressing the "Trail of the Serpent" circulars in the Colby headquarters, and a committee was appointed to wait upon the Chief Justice. It was insisted that I should go along.

Interview With Chief Justice.

The Chief Justice received us, and we found Mr. Gummere even more agitated than the public prosecutor. He also had the violent shaking of the hands. This I particularly noted in both men. The Chief Justice made a long argument against indicting. He said we must have reasonable ground to show criminal

negligence. We brought up the warning of Mayor Doremus in his message and various warnings of a similar nature by citizens, and particularly the words of the president of the Lackawanna Railroad, Samuel Sloan, who told the trolley people before they laid their rails across the railroad tracks that there would inevitably be an awful slaughter there some day, and that as a mere matter of business it would be much cheaper to carry the trolley tracks over the railroad on a bridge than to pay the damages in civil suits which would follow the death of the victims of parsimony.

I cited the testimony of officers of the trolley company that there were twenty-one other trolley grade crossings equally dangerous in Essex county, and finally asked the Chief Justice if, knowing of the collision of February 19—I cannot call it an accident—and the butchery of the High School children, would he (the Chief Justice) then consider that these trolley officials had knowledge of the danger sufficient to call it criminal negligence if, while we were disputing, nine other school children were being done to death at any one of the other twenty-one unprotected, unguarded grade crossings over the railroad tracks?

Mr. Gummere made no reply, and we filed out without a word.

When we returned to the grand jury room the indictments went through as prepared by Mr. Riker, but with a pledge upon the part of the grand jurors that if a miscarriage of justice resulted from the failure of Mr. Riker to carry out the instructions of the grand jury then the jurymen should unite in a statement. This miscarriage of justice certainly ensued, but the members of the December grand jury of 1902 have never kept their solemn pledge.

The "Trial" of A. J. Cassatt, John D. Crimmins, Leslie D. Ward and David Young.

I followed the trial with the closest attention, and the public prosecutor utterly neglected to bring out the essential point in the testimony. The engineer of the trolley company, Arthur A. Reimer, of East Orange, under oath, told us of the grand jury that Clifton avenue, where the disaster occurred, was long considered a place of danger, and that he was directed to prepare plans for a derailing device at Clifton avenue by David Young. He testified that he drew up plans for such a device. It was found that his mechanism cost more than $1,000, and he testified that Mr. Young told him they would not put it in, as the company could not afford the expense.

Essential Evidence Suppressed.

This was the essential point in determining the criminal negligence of the officials of the company, and Mr. Riker never brought out a word of the most important testimony in the whole case.

Case Not Permitted to Go to Jury.

At the close of the trial, when Judge Gummere and his associates refused to permit the case to go to the jury, I myself heard Roosevelt Shanley, one of those on trial for manslaughter, in shaking hands with Chandler W. Riker, say most heartily: "Thank you, Chan."

CHAPTER VI.

ETERNAL VIGILANCE IS THE PRICE OF LIBERTY.

In the closing days of November, 1910, the press of the United States was excited over the visit paid by President McCrea, of the Pennsylvania Railroad, to President Taft at the White House. [By way of contrast the people of the United States were gratified in the closing days of November, 1913, to learn that President Armour, of the Beef Trust, had not been received by President Wilson at the White House. The times have changed.]

On December 1, 1910, a slate of judiciary appointments was issued from the White House and printed throughout the country with Judge Gummere's name at the head for Chief Justice of the United States.

Two days later, on December 3, 1910, "The Story of a Juryman" appeared as the leading article in La Follette's Magazine. The chief editorial in the same issue was entitled "Don't, Mr. President!" and protested vigorously against the appointment of Judge

Gummere as a man "pronouncedly friendly to the corporations"; a "judge singularly free from human sympathy"; a "railroad favorite without the slightest indication of fitness for so important a position"; "not a great lawyer, far from being a great judge."

After the appearance of La Follette's Magazine no further mention of Judge Gummere's name was heard. He was dropped like a hot cake, and Chief Justice White was appointed.

For fifteen years Judge Gummere has been known as the "Dollar Judge" because of his famous decision in 1898 that under the law a child's life is worth only one dollar to its parents. His term as Chief Justice of the Supreme Court of New Jersey will expire in 1915.

Mr. Walker's article from La Follette's Magazine is reprinted here in order that ample time may be afforded to the people of the State to consider the propriety and expediency of his reappointment to the highest judicial office in New Jersey.

CHAPTER VII.

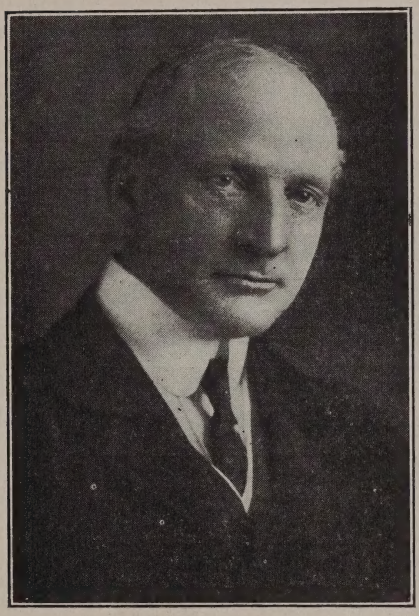
"LEST WE FORGET."

An Essex County Grand Jury Ignored the Chief Justice and Indicted Trolley Company.

Remarkable to almost the degree of sensationalism were the proceedings in the Court of Oyer and Terminer on March 30, 1907, when the December grand jury handed up its final presentment, along with a batch of indictments, including a true bill against the North Jersey Street Railway Company.

Contrary to precedent, the presentment was not read, and, after ordering it to be filed, Chief Justice Gummere, with "Gentlemen, you are discharged," left the bench before the inquisitors had filed out of the courtroom.

The action of the grand jury in indicting the trolley company, after the charge delivered by the Chief Justice on the trolley situation last Thursday, when he cautioned the inquisitors against being misled by public clamor, produced a frigidity that enveloped the whole proceedings of the court. The Chief Justice



WILLIAM FELLOWES MORGAN
President of the Young Men's Christian Association of New York; Foreman Essex County Grand Jury, December, 1906, to April, 1907

This Grand Jury, drawn by Sheriff Frank H. Sommer, was one of the most representative ever appointed in Essex County. The other members of this historic body were Charles H. Ingersoll, the ardent Single Taxer and maker of the Dollar Watch, and Louis Bamberger, from South Orange; Frederick W. Kelsey, Rev. Adolph Roeder and Dr. John A. Stillwell, from Orange; Charles W. Anderson and Stephen Francisco, from Montclair; Eugene L. R. Cadmus, from Glenridge; Edward Jacobi, from Irvington; Henry C. Hines, Alfred A. Drew, Samuel F. Bailey, W. Stewart Hartshorn, Arthur W. McDougall, of the Bureau of Associated Charities; Rabbi Solomon Foster, William Gwinnell, Samuel H. Baldwin, John L. Armitage, John B. Foster, Henry F. Hilfers, secretary of the Essex Trades Council; Antonio Petrone, Dr. James C. Corliss and Bernard W. Terlinde, publisher of "The Crown," from Newark.

received the twenty-one jurors who were in attendance, headed by William Fellowes Morgan as foreman, and after the formal presentation of the indictments, asked if there was anything further desired by them. Upon being informed there was not he dismissed them, with the brief remark quoted.

It was the first time in the history of the court that the presentment of the grand jury was not read in open court. But the most sensational feature of the whole incident was the closing paragraph of the presentment, which read:

"The grand jury has investigated the methods of operation of the trolley lines in Essex county, and from the evidence presented, has considered it sufficient to indict the North Jersey Street Railway Company, the operating company.

"The indignation and protest of a long suffering public, which have been interpreted by the Court as 'public clamor,' have not influenced the grand jury in its consideration of this question."

CHAPTER VIII.

HISTORY REPEATS ITSELF.

Uzal Ward, Foreman of the Grand Jury, rebuking the last royal Chief Justice of New Jersey, 1774.

[From the painting by Frank D. Millet, in the Grand Jury room in the Court House at Newark.]

Defiance of Gummere Finds 1774 Parallel.

By Frank G. Haughwout

[From an article in The New York Press on April 1, 1907.]

Hudson County shares with Essex the gratification that the grand jury ignored the Chief Justice and indicted the company. That Grand Jury, it is asserted, had the spirit of the Essex County Grand Jury of

1774, which resented an assertion by Chief Justice Frederick Smyth, the last royal Chief Justice of the colony of New Jersey, that "the imaginary tyranny 3,000 miles away is less to be feared and guarded against than the real tyranny at our own door."

Chief Justice Smyth had denounced the Revolutionists from the bench in a charge to the Grand Jury. It is of historical record that Uzal Ward, foreman of that Grand Jury in 1774, arose, braved the Chief Justice and told him bluntly that the tyranny 3,000 miles away was not imaginary but real. By a strange turn of events Dr. Leslie D. Ward, a director of the Public Service Corporation and of the Prudential Life and other large corporations, is a direct descendant of the Uzal Ward who defied the royal Chief Justice. He is one of the financial "Big Five" of Newark—the others being former United States Senators John F. Dryden and James Smith, Jr., Thomas N. McCarter, president of the Public Service Corporation, and Uzal H. McCarter, president of the Fidelity Trust Company.

Mayor Fagan and his friends in Jersey City have been working for years to shake North Jersey free from the grip of the Public Service. They have been balked at times by the decisions of Attorney-General

Robert H. McCarter, a brother of President McCarter of the trolley monopoly. In addition, corporate influence in the Legislature has succeeded in defeating a "quo warranto bill" which would have enabled the Jersey City officials to reach the courts by going over the head of Attorney-General McCarter. The fighters for rapid transit reform felt sure if they only could reach the courts they would receive a fair deal, hence the surprise aroused by the effort of Chief Justice Gummere to prevent the Essex County Grand Jury returning its indictment of the Public Service Corporation. Now that the indictment has been returned, it is asserted, it will be pushed to trial, with a large part of Jersey awaiting the outcome with acute interest. It is not believed, in view of the storm of protest, that Chief Justice Gummere will excite public feeling further by actions which might be construed as friendly to the Public Service Corporation. Those who are fighting the Public Service say, however, the action of the Grand Jury in defying the Chief Justice will have a good effect.

It is recalled that the incident of 1774, in which a Grand Jury defied a royal Chief Justice who defended British tyranny, is to be depicted on canvas by Frank

D. Millet for the adornment of the new Court House in Essex County of which Dr. Leslie D. Ward is a commissioner. Suggestion is made that in years to come, when the people have the Public Service Corporation in effective control, another picture may be painted depicting a Grand Jury's defiance of a republican Chief Justice for his defence of corporate tyranny.

CHAPTER IX.

Hudson County Assemblyman Accuses Attorney-General McCarter.

[Report of Speech of Joseph P. Tumulty before the State Legislature, in The Newark Evening News, March 26, 1907.]

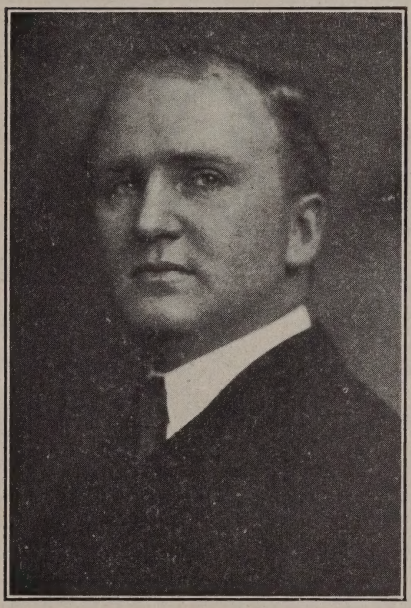
"It is a humiliating spectacle to behold the attorney-general to-day representing the interests in court of the Delaware, Lackawanna and Western Railroad and tomorrow the interests of the Lehigh Valley Railroad, especially at this crucial time when there are pending in this very Legislature bills, which, if passed, threaten seriously to affect those various interests. Not only do you find him representing those interests, but you will also find him in open court before the eyes of the world, defending the right of a man to public office whose title to office a just and upright Judge declared was tainted with fraud and corruption.

"A few short years ago the citizens of Jersey City, backed up by an enlightened public opinion, knocked at the doors of the office of Robert McCarter, the

present attorney-general, and begged, almost on bended knee, aye, even humiliated themselves before him," Mr. Tumulty went on as he proceeded to tell the story of Jersey City's efforts to obtain from Mr. McCarter the necessary permission to bring a suit to test the legality of the charter of one of the Public Service's street car lines.

"The petitions, the exhortations of our citizens were ignored and their requests for leave to make a legitimate attack upon this corporation was scornfully denied by the attorney-general. His arbitrary action in this matter our citizens never have and never will accept as conclusive.

"A striking coincidence lay in the relationship of the attorney-general, who acted in this case, and the president of the company, a brother of the attorney-general, whose corporate existence was being attacked. I do not wish to attribute unworthy motives to the attorney-general in the consideration of this case; I do not care to have the presumption gain root in your minds in the consideration of this case that he was guided in the conclusion at which he arrived by any extraneous considerations or that feelings of brotherly love actuated his action in the least, but when the open



JOSEPH P. TUMULTY

Secretary to the President of the United States

The grace and dignity, deftness and tact with which Mr. Tumulty, without the waste of an unnecessary word, presides over the antechamber of the President, is an object lesson in the art of self-restraint. What versatility and adaptability are here displayed by a man whose genuine virtue and conscious rectitude carried him with clean hands through four consecutive terms as a pioneer progressive Democrat in the New Jersey Assembly, where the honest indignation of this quiet gentleman of few words won him the name of "the Demosthenes of Hudson County" on account of his fiery denunciation of vested wrongs and malefactors of great power.

and notorious charge is made by a prominent official of Hudson County and spread broadcast throughout the length and breadth of the State of New Jersey that the president of the Public Service made a statement in his presence that he would see to it that his brother, the present attorney-general, would never permit the citizens of Jersey City to bring action attacking the validity of the franchises of the Public Service Corporation, then the subsequent refusal of the attorney-general to begin this suit, his relationship to the president of the Public Service, the statement of that same president of the Public Service solemnly made in the presence of witnesses, whose testimony is undisputed, are facts and circumstances which must be taken into consideration by you when you are asked to pass judgment on the merits of this bill."

In closing Mr. Tumulty quoted the famous speech which Shakespeare puts in the mouth of Cardinal Woolsey after his dismissal by King Henry VIII: "Had I but serv'd my God with half the zeal I serv'd my king, he would not in mine age have left me naked to mine enemies." "Ah, Mr. Attorney-General, had you given one-half the attention to the interests of the

people of New Jersey that you have given to those of the Public Service Corporation the people would not desert you now."

CHAPTER X.

The Mayor of East Orange.

Editor of The Globe, Sir—In The Globe of Oct. 30 Gerald McLiatchy calls on Hutchins Hapgood to give examples of good men not members of the Socialist party who have brought about reforms independently of their political beliefs and abolished graft. Immediately I thought of "Golden Rule" Jones and his successor, Brand Whitlock, in Toledo, Ohio, but I have personal knowledge of an example nearer home, Julian A. Gregory, now serving his second term as mayor of East Orange over here in New Jersey. I have closely followed Mayor Gregory's political career since he was elected to the Board of Education in this city in 1902. Fearless and independent, he fought grafters and bosses year after year. He was a large factor in the defeat of the Republican boss, Major Lentz, when he ran for sheriff of Essex County, and for years, sometimes singlehanded, he fought and exposed the Democratic boss, ex-United States Senator James Smith, and thus prepared the way for his final overthrow by Woodrow Wilson.

JULIAN A. GREGORY

Mayor of East Orange

"I have worked with the Mayor in the closest, most intimate and confidential relations for two years, and I know that I am a better man for it."—Speech in Commonwealth Hall, East Orange, 1912, by Borden D. Whiting, City Counsel of East Orange, former State Railroad Commissioner and law partner of Everett Colby.

Gregory was elected mayor on the Democratic ticket the same year that President Wilson was chosen governor of New Jersey. He gave such an absolutely non-partisan and just administration of the city's affairs that 100 members of the Republican Club of East Orange united in a petition to this Democrat to stand for a second term, and he was re-elected by an overwhelming majority. Graft has been eliminated under his searching scrutiny of the city's business, and a spirit of fairness and justice rules in the city government. Talk with any citizen, rich or poor, and you will find only one opinion in this town of Mayor Gregory's sincerity of purpose, absolute integrity, keen sense of justice, and kindness of heart. As a workingman of Toledo once said to me of Brand Whitlock, this man can be re-elected mayor just as many terms as he is willing to continue to sacrifice himself for the common good of the people of the city.

ALDEN FREEMAN.

East Orange, N. J., October 31, 1913. [Reprinted from The Globe and Commercial Advertiser of New York, November 4, 1913.]

Mayor Fagan said to me that he believed this "new idea" movement would make an epoch in the history of the world, and that in years to come men would look back to the days of 1905 and 1906, the rise of national reform in segregated spots, and, following its course, they would discover that what seemed like scattered snow-drifts had become an avalanche destined to sweep everything before it, not only redeeming the people from the greed and graft of great corporations, but also raising up a "peculiar people," released from the giant grip of boss rule, at once redeemed, regenerated, and disenthralled.—Francis Leon Chrisman in Montclair Herald, July 19, 1906.

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